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Tracy L. Morton

(Signature)

Signature Date: May 1, 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application)	<u>PATENT APPLICATION</u>
)	
Inventor(s):	Hermiston et al.)
)	Art Unit: 1614
SC/Serial No.:	09/472,691)
)	
Filed:	December 27, 1999)
)	
Title:	Adenovirus E1B Shuttle Vectors)
)	

RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID
SEQUENCE DISCLOSURES

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, dated February 5, 2000, enclosed are the following documents in connection with the above-identified application:

Copy of Notice.

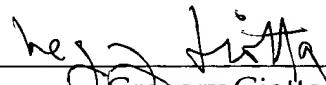
Sequence Listing (Paper and CRF copies).

Preliminary Amendment.

The Commissioner is hereby authorized to charge any fees associated with this communication, *including* extension of time fees that may be due, to Deposit Account No. 15-0615. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

Dated: May 1, 2000

By: 
Gregory Giotta
Reg. No. 32,028

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Richmond, California 94806
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**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARK
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO/FILED
09/472,691	12/27/00	HERMITTON	FEB 10

5 MAY 1 2000

0242/0205

GREGORY GIOTTA PH.D
VICE PRESIDENT AND CHIEF LEGAL COUNSEL
ONYX PHARMACEUTICALS, INC.
3031 RESEARCH DRIVE
RICHMOND CA 94806

1614

02/05/00

DATE MAILED:

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file a sequence listing in compliance with 37 CFR 1.821 - 1.825 to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- 1. This application fails to comply with the requirements of 37 CFR 1.821 - 1.825.
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing".
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- 7. OTHER:

APPLICANT MUST PROVIDE:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE CONTACT:

- For Rules Interpretation, call (703) 308-1123.
- For CRF submission help, call (703) 308-4212.
- For PatentIn software help, call (703) 308-6856.

Customer Service Center

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